

Testimony to the Human Services Committee

**Senate Bill No. 843 – An Act Implementing the Governor's Budget
Recommendations Concerning Social Services**

March 3, 2009

Senator Doyle, Representative Walker and Committee Members,

We write to express strong concern about Provision #67 of the Governor's Bill #843 (appended) because we believe that it will both increase costs and decrease the availability and quality of dental care to children covered by HUSKY.

As currently drafted (see below), this provision would be

- Harmful to the dental care of targeted low-income children by creating a significant and unnecessary procedural barrier to care that will frustrate families and their dentists;
- Inconsistent with the intent of a recent Federal District Court settlement (Carr v. Wilson) that is designed to increase access to appropriate dental care for children in HUSKY;
- Costly to administer without adding value to the State's Medicaid program
- Reduce dental utilization even as CT is out of compliance with the federal "equal access" provision of Medicaid for children (EPSDT);
- Inappropriate for legislation (or even regulation) as prior authorization of services is an administrative policy issue that does not appropriately rise to the level of legislative action.

If the underlying concern is inappropriate expenditures resulting from fraud and abuse, we stand ready to support any and all *administrative* procedures to address that concern while clarifying that the particular *legislative* approach detailed in the Bill is an ineffective and inefficient approach to that concern.

As pediatric dentists who provide substantial care equitably to children in Southeastern Connecticut regardless of their social or health status, we strongly urge you to remove Provision 67 from the bill as it does not hold promise to meet the goal of cost reduction.

We stand in strong support of all necessary and effective approaches to controlling the State's budget during this time of economic stress and are hopeful that you will elect to delete this particular provision for the reasons cited.

Should you or your staffs have any questions regarding our analysis of this provision, please contact me by cell at 202-905-4498 or by e-mail.

Thank you,

Dr. Burton Edelstein

On behalf of

Dr. Garrett Brennan, Dr. Steven Ureles, Dr. Melanie Fatone, Dr. Brett Clark
Dr. Aravind Menon, Dr. Kate Glazer and the children of Southeastern Connecticut

(TVON)

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Sec. 67. (NEW) (*Effective from passage*) All nonemergency dental services provided under the Department of Social Services' dental programs shall be subject to prior authorization. The commissioner shall periodically, but not less than quarterly, review payments for emergency dental services for appropriateness of payment. The commissioner may recoup payments for services that are determined not to be for an emergency condition. For the purposes of this section, "emergency condition" means a dental condition manifesting itself by acute symptoms of sufficient severity, including severe pain, such that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate dental attention to result in placing the health of the individual, or with respect to a pregnant woman, the health of the woman or her unborn child, in serious jeopardy, cause serious impairment to body functions or cause serious dysfunction of any body organ or part.